

REMARKS

Applicants respectfully request entry of the amendments and remarks herein. Claims 26, 31 and 39 have been amended herein, and claim 30 has been canceled without prejudice to continued prosecution.

Claims 26-29 and 31-59 are currently pending. Reconsideration of the pending application is respectfully requested.

The 35 U.S.C. §103 Rejections

Claims 26-32 and 34-59 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chandra et al. (US 2003/0176827) in view of Madsen (US 2002/0045049). Claim 33 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Chandra et al in view of Madsen, and in further of Becker et al. (US Patent No 7,005,556). According to the Examiner, Chandra et al. discloses the claimed wound covering and Madsen discloses the claimed hydrophilic coating. This rejection is respectfully traversed.

The present specification discloses that anti-microbially-active substances can interfere with wound healing (see, for example, the second and third paragraphs on page 5 of the present specification). Therefore, in order to prevent an anti-microbially-active substance from interfering with wound healing, the presently claimed wound covering requires that the anti-microbially-active substance be bound, chemically or physically, to the absorbent matrix. In addition, the claims require that both the surface and the substance be coated with a hydrophilic polymer. Both of these claimed features (i.e., binding and coating) prevent the anti-microbially active substance from leaving the wound covering and interfering with wound.

Chandra et al. does not disclose chemically or physically binding metal clusters to the textile matrix, and Chandra et al. does not contain disclosure that would prompt one of ordinary skill in the art to chemically or physically bind the metal fiber to the matrix. In addition, the present claims require a second layer made with a gas-permeable, liquid-impermeable film that adheres to skin and forms a liquid-tight inner space. The liquid-tight inner space can be filled with a liquid, which assists wound healing. Chandra et al. does not disclose a two-layer wound

covering as claimed, and Chandra et al. does not contain disclosure that would prompt one of ordinary skill in the art to make a two-layer wound covering as claimed.

Further, one of ordinary skill in the art would not dip the wound covering of Chandra et al. into a polymer coating as taught by Madsen, as it would be expected that applying such a coating would inhibit and reduce the activity of the anti-microbially-active substance. On the other hand, the present specification discloses that the hydrophilic coating does not prevent the action or activity of the claimed anti-microbially-active substance (page 6, lines 1-3).

The combination of a metal clusters, the coating, and the hydrophobicity of the polymer coating has several advantages. For example, the coating protects the metal clusters from mechanical abrasion and, as discussed herein, prevents the anti-microbially-active substance from leaving the wound covering. See, for example, page 6, lines 5-9. In addition, the wound covering itself remains microorganism free, while the anti-microbially active substance does not interfere with the wound healing process. See, for example, the 2nd paragraph and the last sentence on page 5. Further, the wettability of the claimed matrix is favored (due to the hydrophilicity of the coating), which improves the activity of the anti-microbially-active substance by improving the contact between the matrix and the liquid. See, for example, page 6, lines 9-15. Also, the sulfhydryl groups on proteins that are present in the wound or in the fluid secreted from the wound can react with the metal clusters, thereby coating the metal clusters with mercaptides, which would significantly reduce the anti-microbial activity of the metal cluster. This problem is avoided by coating the substance with a polymer.

Neither of the references cited by the Examiner, alone or in combination, teach or suggest a wound covering having an anti-microbially active substance that is not able to leave the wound covering and is not in direct contact with the wound during use. With respect to claim 33, Becker et al. does not cure the deficiencies of Chandra et al. and Madsen. In view of the remarks herein, Applicants respectfully request that the rejection of the pending claims under 35 U.S.C. §103(a) be withdrawn.

Applicant : Thorsten Bechert et al.
Serial No. : 10/585,606
Filed : May 17, 2007
Page : 8 of 8

Attorney's Docket No.: 21270-002US1 / 464582EH-go

CONCLUSION

Applicants respectfully request allowance of claims 26-29 and 31-59. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

/September 29, 2008/

/M. Angela Parsons/

Date: _____

M. Angela Parsons, Ph.D.
Reg. No. 44,282

Fish & Richardson P.C.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (877) 769-7945